

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

STATE OF DELAWARE, *ex rel.*
KATHLEEN JENNINGS, Attorney
General of the State of Delaware,

Plaintiff,

v.

BP AMERICA INC., BP P.L.C., CHEVRON
CORPORATION, CHEVRON U.S.A. INC.,
CONOCOPHILLIPS, CONOCOPHILLIPS
COMPANY, PHILLIPS 66, PHILLIPS 66
COMPANY, EXXON MOBIL
CORPORATION, EXXONMOBIL OIL
CORPORATION, XTO ENERGY INC., HESS
CORPORATION, MARATHON OIL
CORPORATION, MARATHON OIL
COMPANY, MARATHON PETROLEUM
CORPORATION, MARATHON
PETROLEUM COMPANY LP, SPEEDWAY
LLC, MURPHY OIL CORPORATION,
MURPHY USA INC.,
ROYAL DUTCH SHELL PLC, SHELL OIL
COMPANY, CITGO PETROLEUM
CORPORATION, TOTAL S.A.,
TOTALENERGIES MARKETING USA, INC.,
OCCIDENTAL PETROLEUM
CORPORATION, DEVON ENERGY
CORPORATION, APACHE CORPORATION,
CNX RESOURCES CORPORATION,
CONSOL ENERGY INC., OVINTIV, INC.,
and AMERICAN PETROLEUM INSTITUTE,

Defendants.

Case No. 1:20-cv-01429-LPS

DEFENDANTS' NOTICE OF APPEAL

Notice is hereby given that Defendants BP America Inc., BP p.l.c., Chevron Corporation,
Chevron U.S.A. Inc., ConocoPhillips, ConocoPhillips Company, Phillips 66, Phillips 66

Company, Exxon Mobil Corporation, ExxonMobil Oil Corporation, XTO Energy Inc., Hess Corporation, Marathon Oil Corporation, Marathon Petroleum Corporation, Marathon Petroleum Company LP, Speedway LLC, Murphy Oil Corporation, Murphy USA Inc., Royal Dutch Shell plc, Shell Oil Company, CITGO Petroleum Corporation, Total S.A., TotalEnergies Marketing USA, Inc., Occidental Petroleum Corporation, Devon Energy Corporation, Apache Corporation, CNX Resources Corporation, CONSOL Energy Inc., Ovintiv Inc., and American Petroleum Institute, pursuant to 28 U.S.C. §§ 1291 and 1447(d), appeal to the United States Court of Appeals for the Third Circuit from the Order granting Plaintiff's Motion to Remand, D.I. 121, entered in this action on January 5, 2022.¹

¹ This Notice of Appeal is submitted subject to and without waiver of any defense, affirmative defense, or objection, including personal jurisdiction.

Respectfully submitted,

Dated: January 13, 2022

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